

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KIRAN VUPPALA,

Plaintiff,

-against-

100 ML GARAGE CORP. and MAIDEN LANE
PROPERTIES LLC,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/7/2022

1:22-cv-3250 (MKV)

ORDER

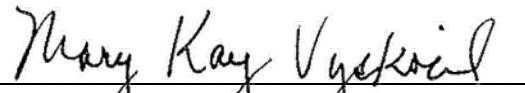
MARY KAY VYSKOCIL, United States District Judge:

The Court has received a letter from Defendant 100 ML Garage Corp., writing jointly with Plaintiff Kiran Vuppala, stating that those parties have reached a settlement in principle and requesting that the Court issue an order of dismissal that allows “either party to restore this case within 45 days” [ECF No. 16]. However, Plaintiff and Defendant 100 ML Garage Corp. are not the only parties to this case. The Amended Complaint also names as a defendant Maiden Lane Properties LLC, although Plaintiff has not filed an affidavit of service of the Amended Complaint on Defendant Maiden Lane Properties LLC, and that defendant has never appeared in this action [ECF No. 13]. The Court cannot issue an order dismissing this entire case unless and until Plaintiff represents that Plaintiff wishes to voluntarily dismiss its claims against all of the defendants named in the operative pleading.

Accordingly, IT IS HEREBY ORDERED that, by **November 14, 2022**, Plaintiff shall file either (1) a notice of voluntary dismissal as to Maiden Lane Properties LLC, or (2) an affidavit of service of the Amended Complaint on Defendant Maiden Lane Properties LLC and a letter stating that Plaintiff seeks an order of dismissal as to Defendant 100 ML Garage Corp. only and that Plaintiff intends to prosecute the claims in the Amended Complaint against Defendants Maiden Lane Properties LLC.

SO ORDERED.

Date: November 7, 2022
New York, NY



MARY KAY VYSKOCIL
United States District Judge